

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION

VINCENT MORGAN,

PLAINTIFF,

VS.

CAUSE NO. 3:17-CV-102-SA-JMV

SHERIFF K.C. HAMP, ET AL

DEFENDANTS.

PLAINTIFF'S MOTION FOR ORDER COMPELLING DISCOVERY, FOR ORDER DEEMING  
PLAINTIFF'S REQUESTS FOR ADMISSIONS ADMITTED AND FOR ORDER EXTENDING  
THE DEADLINE TO FILE FOR JOINDER AND AMENDMENTS TO THE PLEADINGS

COMES NOW the plaintiff, through counsel, and files this motion for order compelling discovery and to deem Request for Admissions admitted under Rules 37(a) and 36 (a)(3), respectively, of the Federal Rules of Civil Procedure, and would respectfully state unto the Court the following:

1. That Plaintiff served his first set of Interrogatories, Request for Production of Documents and Request for Admissions upon the defendants with his Complaint on May 26, 2017, to which responses were due on August 21, 2017 as ordered by the Court's Text Only Order of June 23, 2017.

2. That as of this date, Defendants have failed to respond at all to Plaintiff's Interrogatories and Request for Production of Documents, and have failed to seek an extension. The Defendants' responses to Plaintiff's Request for Admissions were untimely served on August 30, 2017, and no request for stipulation for extension was made in compliance with Rule 29 of the F.R.C.P. A copy of Plaintiff's Admissions Requests are attached hereto as "Exhibit A," and attached as "Exhibit B" are "good faith" letters to defense counsel in an effort to resolve the discovery issues.

3. That Plaintiff needs the benefit of the discovery responses to, among other things, weigh the issues of joinder and amendment to the pleadings, the deadline for which is September 13, 2017 under the Court's Case Management Order.

4. That this is an urgent and necessitous matter as contemplated by L.U. Civ. Rule 7(b)(8).

WHEREFORE, PREMISES CONSIDERED, the plaintiff prays that the Court will hear this motion and, upon final hearing, enter order compelling discovery on the part of Defendants and order appropriate fees and costs under Rule 37(a)(5) of the F.R.C.P.

The plaintiff also prays that the Court will enter order deeming admitted the plaintiff's Request for Admissions served herein and attached as "Exhibit A" to this motion and, finally, enter order extending the deadline for filing for joinder and amendments to the pleadings in this case beyond the date ordered for compelled discovery by defendants.

Plaintiff prays for general relief.

RESPECTFULLY SUBMITTED,

/s/ Lucius Edwards, Miss. Bar No. 5482

---

LUCIUS EDWARDS, MISS. BAR NO. 5482  
DRAWER 313, HERNANDO, MS 38632  
662-429-5786 AND 662-429-2268 (TELEFAX)  
E-MAIL: [e lucius@comcast.net](mailto:elucius@comcast.net)

ATTORNEY FOR PLAINTIFF

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION

VINCENT MORGAN,

PLAINTIFF,

VS.

CIVIL ACTION NO. 3:17-CV-102-SA-JMV

SHERIFF K.C. HAMP, ET AL

GOOD FAITH CERTIFICATE

The undersigned attorney hereby certifies that he has made an effort to confer with defense counsel to resolve the issues in question and that it is necessary to file the following motion: Motion to Compel Discovery, for Order Deeming Request for Admissions Admitted and for Order Extending the Time for Filing Motions for Joinder and Amendment to the Pleadings.

Counsel further certifies that:

1. The motion is unopposed by all parties.
2. The motion is unopposed by:
3. The motion is opposed by:
4. Opposing counsel has not indicated which after conferring (v)
5. Opposing counsel has not indicated after contact; however, Plaintiff's counsel feels this is an urgent and necessitous matter.

This the 7<sup>th</sup> day of September, 2017.

/s/Lucius Edwards, Miss. Bar No. 5482

---

LUCIUS EDWARDS, MISS. BAR NO. 5482  
DRAWER 313, HERNANDO, MS 38632  
662-429-5786 ABD 662-429-2268 (FAX)  
E-MAIL: [e\\_lucius@comast.net](mailto:e_lucius@comast.net)  
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned attorney does hereby certify that a true and correct copies of the foregoing Motion and accompanying Good Faith Certificate were served upon Defendants' attorney, Ms Candace Williams and Mr. John Perry, by electronic transmission through the CM/ECF system and by e-mail to [jkp@perrygriffin.com](mailto:jkp@perrygriffin.com) and [cw@perrygriffin.com](mailto:cw@perrygriffin.com).

This the 7<sup>th</sup> day of September, 2017.

---

LUCIUS EDWARDS